

L. STAFF QUALIFICATIONS AND SUPERVISION

Staff Qualifications

- Contractor's program staff shall meet the requirements of Title 9, Division 1, Article 8 and Title 9, Chapter 11 of the California Code of Regulations as to training, licensure, and clinician/client ratios. All staff shall operate within the guidelines of ethics, scope of practice, training and experience, job duties, and all applicable State, Federal, and County standards. Contractor shall provide sufficient staffing to provide necessary services and Medicare approved services to Medicare covered clients. Documentation of staff qualifications shall be kept on file at program site.
- Psychotherapy shall be performed by licensed, waived, or trainee (with co-signature by LPHA) staff in accordance with State law.
- Psychiatrists shall have completed a training program in a child or adolescent specialty (must be Board eligible in child and adolescent or adolescent psychiatry), for programs that serve youngsters under 13 years of age, or have 5 years of experience offering psychiatric services to children and adolescents. Any exception to this must be approved by the Mental Health Services Clinical Director and the Program Monitor.
- Nurses and Psychiatric Technicians may bill Medication Support to Medi-Cal under the non-MD InSyst code (362), provided the service provided is within the individual's scope of practice and experience and documentation supports the service claimed.
- Qualified Mental Health Professionals (QMHP) / Mental Health Rehabilitation Specialist who provide direct, billable service must hold a BA and 4 years experience in a mental health setting as a specialist in the fields of physical restoration, social adjustment, or vocational adjustment. Up to two years of graduate professional education may be substituted for the experience requirements on a year for year basis. Up to two year of post associate arts clinical experience may be substituted for the required educational experience in addition to the requirement of four years of experience in a mental health setting. Staff work under the direction of a licensed or waived staff member.
- Family / Youth Support Partners who provide direct, billable service must have direct experience as the parent, care giver, or consumer in a public agency serving children, and demonstrate education and/or life experience commensurate with job duties. Youth (at least 12 years of age and up to 25 years of age) must meet work permit requirements when applicable. Partners must receive on going training and work under the direction of a licensed or waived staff member.

Organizational Provider Operations Handbook CMHS Version

Rev. January 2006

STAFFING and SUPERVISION

- Rehabilitation (non-licensed, non waivable, also referred to as Para Professionals) staff who provide direct, billable service at a minimum must have a high school diploma/GED, be 18 years old, have at least one-year full time (or equivalent) experience working with children or youth, a positive reference by a supervisor from that work experience, and must work under the direction of a licensed or waived staff member.
- All direct service staff shall have had one year of supervised experience with children and adolescents.
- Any exceptions to these requirements must be approved by the Program Monitor.

Clearances for Work with Minors.

Contractor's employees and volunteers, who work on this contract and work directly with minors, shall have clearances completed by the contractor prior to employment and annually thereafter.

- Employees and volunteers shall successfully register with and receive an appropriate clearance by "Trustline"<http://www.trustline.org/> or equivalent organization or service that conducts criminal background checks for persons who work with minors. Equivalent organizations or services must be approved by the COTR prior to use by contractor.
- Employees and volunteers shall provide personal and prior employment references, Contractor shall verify reference information, and employees and volunteers shall not have any unresolved negative references for working with minors.
- Contractor shall immediately remove an employee or volunteer with an unresolved negative clearance

Supervision and Management Requirements

- Programs must provide supervision in amount and type that is adequate to insure client safety, maximize gains in functioning, and meet the standards of the professions of those staff employed in the program.
- Programs who employ waived staff receiving supervision for licensure must offer experience and supervision that meet the requirements of the licensing board to which the waived person will apply.
- Supervisors may supervise up to 8 clinical staff (licensed, waived, and trainees) and up to 12 total staff, to include clinical staff.
- Any exceptions to these requirements must be approved by the Program Monitor.

Organizational Provider Operations Handbook CMHS Version

Rev. January 2006

STAFFING and SUPERVISION

- Contractor shall notify Program Monitor prior to personnel change in the Program Manager position. A written plan for program coverage and personnel transition shall be submitted to CMHS at least 72 hours prior to any personnel change in the Program Manager position. In addition, the resume of candidate for replacement shall be submitted to the Program Monitor for CMHS review and comment at least 72 hours prior to hiring.
- Program shall provide the Program Monitor an organizational chart identifying key personnel and reporting relationships within 72 hours of any changes to organizational structure.

Professional Licensing Waiver Guidelines

The Welfare and Institutions Code Section 5751.2 (a) states that “persons employed or under contract to provide mental health services shall be subject to all applicable requirements of law regarding professional licensure, and no person shall be employed in local mental health programs and provide services for which a license is required, unless the person possesses a valid license.” Some categories of persons employed as psychologists, clinical social workers, marriage, family and child counselors, however, may be exempt from the requirement of subsection (a) for a time-limited period. The general guidelines for the professional waiver process are as follows:

- W&IC Section 5751.2 refers to psychologists, social workers and MFTs (MFCCs) providing mental health services in local mental health programs. Mental health services are defined as those services that can only be performed by a licensed professional or by one who is obtaining qualifying experience under the supervision of a licensed professional.
- W&IC Section 5751.2 refers to those persons employed in local mental health programs or under contract to provide those services. This means all organizational provider staff –both county and contract.
- Each psychologist candidate must obtain a waiver, even though he/she is registered with the Board of Psychology. Each LCSW and MFT candidate is to remain registered with her/his licensing board until such time the candidate is licensed. No waiver is needed, nor can one be obtained; the only exception pertains to license-ready candidates recruited from out-of-state—consult the Code for details.
- Each license-ready psychologist, LCSW or MFT recruited from out-of-state must obtain a waiver.
- A waiver candidate must be obtaining post-graduate experience. Therefore, a graduate student cannot receive a waiver. Psychology candidates must have completed the doctorate.

Organizational Provider Operations Handbook CMHS Version

Rev. January 2006

STAFFING and SUPERVISION

- A waiver granted in one county is valid for any program in any county in the state of California for the life of the waiver.
- The waiver period commences on the date of employment in a local mental health program (county or contract) anywhere in the state of California in a position that requires a license or whenever the applicant is gaining qualifying clinical experience.
- A volunteer may gain waiver status if the county provides evidence that this applicant is “employed” or under “contract” to provide mental health services. This evidence shall take the form of written confirmation from the county mental health director or designee.
- All applicants will receive the maximum waiver period unless requested differently by the county--five years for the standard psychologist waiver and three years for the license-ready psychologist, LCSW, and MFT candidates recruited from outside the state.
- There are no provisions for waiver extensions beyond the maximum waiver periods.
- All waiver requests are to be submitted by the MHP and signed by the local mental health director or the director’s designee (the QI Unit). Contractors may not submit waiver requests directly to the State.
- All items on the waiver request form must be completed to the best of the applicant’s and provider’s knowledge.
- The applicant’s employment history should be attached to the waiver request form. This can take the form of a current resume, an employment application, or other such documentation.
- Use the “Professional Licensing Waiver Request” form, revision 11/03 (Section O, Attachment 20).
- Contractors who employ waived staff receiving supervision for licensure must offer experience and supervision that meet the requirements of the licensing board to which the waived person will apply.

Staff Mix

- All providers shall have staff in numbers and training adequate to meet the needs of the program’s target population.
- Psychiatry time: Day Treatment programs, including Intensive and Rehabilitation, shall have psychiatry time sufficient to provide psychiatrist participation in treatment reviews, plus one

Organizational Provider Operations Handbook CMHS Version

Rev. January 2006

STAFFING and SUPERVISION

hour per week for medication management per 8 clients on medication (Intensive) or 10 clients on medication (Rehab). Outpatient programs must also have psychiatry time sufficient to allow the psychiatrist's participation in treatment reviews, especially where medications may be discussed, plus up to one hour per month for each new client to be assessed and one half hour per month per client on medications, for medication follow up.

- Head of Service and providing clinical direction: Most programs' contracts require that the Program Manager (Head of Service) be licensed. If the Program Manager is not licensed, there must be a Clinical Lead who can provide clinical supervision and perform certain tasks, such as diagnosing, that are within the scope of practice of licensed and waived persons.
- Day Treatment staffing: per the requirements of Title 9, the program must maintain a client to staff ratio of 8:1 (for Intensive programs) and 10:1 (for Rehab programs) at all times. Staff counted in the ratio must be Qualified Mental Health Professionals or licensed or waived. In addition, County policy requires that at least half the clinical staff in Intensive programs be licensed.
- Outpatient providers' ratio of clinicians/therapists to interns and trainees shall be no more than 1:3 FTE, i.e., there must be at least one FTE licensed clinician per 3 FTE interns and trainees. Interns and trainees may provide psychotherapy services, under the close supervision of the clinician/therapist.
- Any exceptions to these requirements must be approved by the Program Monitor.